

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION**

Erin Ruiz,

Plaintiff,

v.

Transdev Services, Inc. et al.,

Defendants.

EDCV 15-2307-VAP (KKx)

**ORDER TO SHOW CAUSE RE:
SUBJECT MATTER JURISDICTION
(IN CHAMBERS)**

Defendant Transdev Services, Inc. (“Defendant”) removed this case from the Superior Court for the County of San Bernardino to this Court on November 9, 2015, on the basis of diversity jurisdiction. (See Doc. 1.) District courts have diversity jurisdiction over a case where, inter alia, the matter in controversy exceeds the sum or value of \$75,000. See 28 U.S.C. § 1332(a).

In her Complaint, Plaintiff Erin Ruiz (“Plaintiff”) claims she was a passenger on Defendant’s bus and sustained “injuries [that] may be permanent in nature” when the bus driver “slam[med] on [the] brakes.” (Doc. 1-1 ¶¶ 10-11.) Thereafter, she submitted a Statement of Damages (“Statement”) alleging without specificity general damages of \$100,000 and special damages of \$25,000. (Doc. 1-3.) Defendant’s removal to this Court is based on Plaintiff’s Statement. (See Doc. 1 ¶ 6.) Based on this general Statement and the Complaint, the Court is not convinced the amount-in-controversy requirement is met. Although “a defendant’s notice of removal need include only a plausible allegation that the amount in controversy

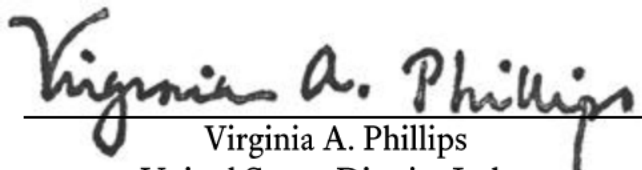
exceeds the jurisdictional threshold,” when the court questions the amount in controversy, “both sides submit proof and the court decides, by a preponderance of the evidence, whether the amount-in-controversy requirement has been satisfied.”

Dart Cherokee Basin Operating Co. v. Owens, 135 S. Ct. 547, 554 (2014).

Accordingly, the Court issues this Order to Show Cause Re Subject Matter Jurisdiction. Defendant must respond, in writing, by December 28, 2015, with evidence that the amount-in-controversy requirement is met.

IT IS SO ORDERED.

Dated: 12/16/15


Virginia A. Phillips
United States District Judge